

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512



- o The petition meets all the filing criteria of Title 20, section 1769(a) of the California Code of Regulations concerning post-certification project modifications.

- The modification will not change the findings in the Commission's Final Decision pursuant to Title 20, section 1755.
- The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The Change will be beneficial to both the public and the project owner because it would result in changing the source of the power plant's cooling water supply from on-site wells to recycled wastewater; and
- There has been a substantial change in circumstances since the Commission certification justifying the change and that the change is based on information that was not available to the parties prior to Commission certification in that recycled wastewater was not available when the project was certified.

## CONCLUSION AND ORDER

The California Energy Commission hereby adopts Staff's recommendations and approves the following changes to the CALPINE GILROY COGEN Project's Decision. New language is shown as **hold and double-underlined**:

## CULTURAL RESOURCES

**CUL 4-7: The project owner shall ensure that the Cultural Resources Specialist (CRS) or Cultural Resources Monitor (CRM) (selected by and reporting to the CRS), monitors the installation of waterline supports where excavation extends beyond fill. Excavation of the trench through the roadway shall also be monitored full-time for cultural resources by the CRS or CRM. Monitoring logs shall be kept and maintained by the on-site monitor. The CRS shall inform the CPM when ground disturbance activities no longer require monitoring, and will explain his/her decision that monitoring is no longer necessary.**

**Verification: During each week that monitoring occurs, monitoring logs shall be submitted to the CPM, on a form acceptable to the CPM, for review and approval. Within 24 hours of making a determination that cultural resources monitoring is no longer required, the CRS shall submit an e-mail explanation to the CPM for review and approval.**

## PUBLIC HEALTH

**PUBLIC HEALTH 2-4: The Project Owner shall develop and implement a Cooling Water Management Plan to ensure that the potential for bacterial growth in cooling water is controlled to industry standards. The plan shall be consistent with the requirement of either staff's "Cooling Water Management Program Guidelines" or the guidelines in the Cooling Technology Institute's "Best Practices for the Control of Legionella".**

**Verification: Within 30 days of approval of this amendment to utilize recycled wastewater for cooling purposes, the project owner shall provide the Cooling Water Management Plan to the California Energy Commission's Compliance project Manager for review and approval.**

## WATER QUALITY

**WATER QUALITY 6-9: The project owner shall use tertiary-treated water supplied from South County Regional Wastewater Authority as its primary water supply source for cooling. Water from the on-site well system may be used as a back up supply for the cooling purposes in the event that recycled water services is interrupted.**

**Verification: The project owner shall notify the CPM in writing if recycled water from South County Regional Wastewater Authority is unavailable for more than thirty (30) consecutive days.**

**WATER QUALITY 6-10: The project owner shall meter in-plant uses of recycled water. The project owner shall prepare an annual summary, which will include the monthly range and monthly average of daily water usage in gallons per day, and total water used by the project on a monthly and annual basis in acre-feet. For subsequent years, the annual summary will also include the yearly range and yearly average water use by the project. This information will be supplied to the CPM.**

**Verification: The project owner will submit as part of its annual compliance report a water use summary to the CPM on an annual basis for the life of the project.**

**IT IS SO ORDERED.**

Date: July 13, 2005

STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

\_\_\_\_\_  
Original Signed By  
JOSEPH DESMOND  
Chairman